

WILLS AND CODICILS III

Well, first of all it should revoke all wills previously made by the testator. The testator may not have made any previous wills, but it is the usual thing to insert words revoking all previous wills, and if such words are framed, " I revoke all former Wills (if any) heretofore made by me and declare this to be my last Will and Testament/' it will cover every eventuality.

The first and most important thing is for the testator to appoint an executor or executors, to carry out his wishes after his death. The testator can appoint any person or persons to be executors without consulting them—if, when he dies, they or any of them do not wish to act, they can easily renounce their appointment. Anyone can be appointed an executor, of whatever rank or station they may be. An infant (i.e. anyone under 21) can be appointed, but he will not be allowed to act if he is under 21 at the time of the testator's death (except that he can apply to be executor on attaining 21 if there are then still executorship duties remaining to be carried out).

A testator can nominate persons to act as executors in place of any executors who might die before him, or might die after him but before his estate is wound up. He can appoint his wife, or any beneficiary under his will. The

fact that
they benefit under his will does not
vitiate their
appointment, nor does the
appointment deprive
them of their benefit under the will. If a
testator
desires, he may appoint the Public
Trustee or one
of the large Banks or a Trust
Corporation to act
either alone or jointly with an
individual or indi-
viduals.

If by the will certain trusts are
created, such as